


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

FILED
APR 26 2023
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY  DEPUTY

JUDY G. HEUGEL,
PLAINTIFF,
V.

TRANS UNION, LLC AND VICTORY
MANAGEMENT SERVICES, LLC,
DEFENDANTS.

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CAUSE NO. 1:22-CV-1152-LY

ORDER ON REPORT AND RECOMMENDATION

Before the court in the above-referenced cause is Defendant Victory Management Services, LLC's Motion to Dismiss for Improper Venue (Doc. #18) and all related briefing, which was referred to a United States Magistrate Judge for Report and Recommendation. *See* 28 U.S.C. § 636(b); FED. R. CIV. P. 72; Loc. R. W.D. Tex. App'x C, R. 1(d). The magistrate judge rendered a Report and Recommendation on April 10, 2023 (Doc. #46), recommending that the court dismiss the case without prejudice or transfer it to the Eastern District of Texas.

A party may serve and file specific written objections to the proposed findings and recommendations of a magistrate judge within 14 days after being served with a copy of the report and recommendation and thereby secure *de novo* review by the district court. *See* 28 U.S.C. § 636(b); FED. R. CIV. P. 72(b). A party's failure to timely file written objections to the proposed findings, conclusions, and recommendation in a report and recommendation bars that party, except upon grounds of plain error, from attacking on appeal the unobjected-to proposed factual findings and legal conclusions accepted by the district court. *See Douglass v. United Servs. Auto Ass'n*, 79 F.3d 1415 (5th Cir. 1996) (en banc).

Plaintiff Judy Heugel filed objections to the Report and Recommendation on April 20, 2023 (Doc. #56). In light of the objections, the court will undertake a *de novo* review of the

record and applicable law in this case. Having reviewed Heugel's objections and the entire case file, the court will accept and adopt the Report and Recommendation for substantially the reasons stated therein.

IT IS THEREFORE ORDERED that Plaintiff Judy Heugel's objections to the Report and Recommendation (Doc. #56) are **OVERRULED**.

IT IS FURTHER ORDERED that the United States Magistrate Judge's Report and Recommendation (Doc. #46) filed in this cause is **APPROVED** and **ACCEPTED**.

IT IS FURTHER ORDERED that Defendant Victory Management Services, LLC's Motion to Dismiss for Improper Venue (Doc. #18) is **GRANTED AS FOLLOWS**: this case is **TRANSFERRED** to the United States District Court for the Eastern District of Texas.

SIGNED this 26th day of April, 2023.



LEE YEAKEL
UNITED STATES DISTRICT JUDGE